Case 1:07-cv-09358-RJS Document 9 Page 1 of 1 USDS SDNY DOCUMENT ELECTRONICALLY FILED UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK Dewight Brooks, Plaintiffs, -V-Case No. 07-CV-09358 (RJS) The City of New York, **ORDER** Defendants. **ECF**

RICHARD J. SULLIVAN, District Judge:

It having been reported to the Court that this action has been resolved,

IT IS HEREBY ORDERED, that this action is discontinued with prejudice but without costs; provided, however, that if the settlement is not consummated within 45 days of the date of this Order, any party may apply by letter within the 45 day period for restoration of the action to the calendar of the undersigned, in which event the action will be restored.

SO ORDERED,

RICHARD J. SULLIVAN

UNITED STATES DISTRICT JUDGE

Dated: New York, New York February / 9, 2008